

UNITED STATES DISTRICT COURT
FOR THE
EASTERN DISTRICT OF WASHINGTON

HAROLD ELDON BRETCHES,

Plaintiff,

vs.

CAROLYN W. COLVIN,
Acting Commissioner of Social Security,

Defendant.

Civil No. 2:14-cv-00097-VEB

ORDER

Based on the stipulation of the parties, it is hereby ORDERED that the Commissioner's decision is REVERSED and this matter is REMANDED for further administrative proceedings pursuant to sentence four of 42 U.S.C. § 405(g). On remand, the administrative law judge (ALJ) shall offer Plaintiff an opportunity for a new hearing and issue a new decision. The ALJ shall also:

(1) further evaluate the medical opinions of record, including but not limited to the opinions of Thomas Genthe, Ph.D. and Mark C. Duris, Ph.D., and provide adequate rationale for either accepting or rejecting these opinions (20 CFR 416.927 and Social Security Rulings 96-2p, 96-5p, and 96-6p);

1 (2) further determine whether Plaintiff meets any listing, but in particular
2 consider 12.05C;

3
4 (3) further evaluate Plaintiff's residual functional capacity (20 CFR
5 416.945(c) and Social Security Rulings 85-16 and 96-8p);

6 (4) evaluate the lay witness statements, including that of Nick Lee Bretches,
7 in accordance with Social Security Ruling 06-3p;

8 (5) further evaluate Plaintiff's subjective complaints pursuant to 20 CFR
9 416.929 and Social Security Ruling 96-7p; and

10 (6) obtain vocational expert testimony to clarify the effects of the assessed
11 limitations on Plaintiff's ability to perform his past relevant work or other
12 work (Social Security Ruling 83-14 and 85-15 and Social Security Ruling
13 00-4p)
14

15 The parties agree that reasonable attorneys' fees will be awarded under the
16 Equal Access to Justice Act, 28 U.S.C. § 2412, upon proper request to the Court.
17

18 The District Court Executive is directed to file this Order, provide copies to
19 counsel, enter judgment in favor of Plaintiff, and CLOSE this case.

20 DATED this 16th day of December, 2014.

21 /s/Victor E. Bianchini
22 VICTOR E. BIANCHINI
23 UNITED STATES MAGISTRATE JUDGE